

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KIARA DORIQUE ALEXIS,

Plaintiff,

v.

JACK NAVARRO, et al.,

Defendants.

No. 2:22-cv-01130 DAD AC PS

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On October 20, 2022, the District Judge assigned to this case adopted findings and recommendations that plaintiff’s complaint be dismissed with leave to amend, and granted plaintiff 30 days to file an amended complaint. ECF No. 36. Plaintiff was cautioned that failure to do so could lead to a recommendation that the action be dismissed for failure to prosecute. Id. at 2. Plaintiff did not file an amended complaint within the time limit. On November 30, 2022, the court issued an order to show cause within 14 days why this case should not be dismissed for failure to prosecute. ECF No. 37. Plaintiff has not responded to the court’s orders, nor taken any action to prosecute this case.

Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court’s order. See Fed. R.

1 Civ. P. 41(b); Local Rule 110.

2 These findings and recommendations are submitted to the United States District Judge
3 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one (21)
4 days after being served with these findings and recommendations, plaintiff may file written
5 objections with the court. Such document should be captioned “Objections to Magistrate Judge’s
6 Findings and Recommendations.” Local Rule 304(d). Plaintiff is advised that failure to file
7 objections within the specified time may waive the right to appeal the District Court’s order.
8 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

9 DATED: December 19, 2022

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11 ALLISON CLAIRE
12 UNITED STATES MAGISTRATE JUDGE

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